

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-188-C - ORDER NO. 2005-406
JULY 22, 2005

IN RE: Petition of MCImetro Access Transmission)	ORDER APPOINTING
Services, LLC for Arbitration of Certain)	HEARING OFFICER
Terms and Conditions of Proposed)	
Agreement with Horry Telephone)	
Cooperative, Inc. Concerning Interconnection)	
and Resale under the Telecommunications)	
Act of 1996.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Commission's Motion to appoint Mr. Joseph M. Melchers, Esquire, Chief Counsel, to serve as a hearing officer in the instant docket regarding the Petition of MCImetro Access Transmission Services, LLC for arbitration of certain terms and conditions of a proposed agreement with Horry Telephone Cooperative, Inc. This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2004). The Motion is granted.

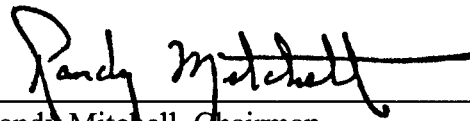
Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the commission, to rule on questions concerning the conduct of the case and

other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

We find that Mr. Joseph M. Melchers meets this qualification, and we therefore grant the Motion appointing him as hearing officer in this case. As hearing officer in this proceeding, we direct Mr. Melchers to rule on any procedural matters in the case up to the time of the hearing.


This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)